## COMMONWEALTH OF MASSACHUSETTS State Building Code Appeals Board Board's Ruling on Appeal<sup>1</sup>

Docket No. 08-601

Appellant(s): Rockwood Edwards

vz. Appellee(s):

City/Town of Cambridge

Michael Grover

## Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant requested that the Board grant him a variance from 780 CMR 904.2 and 906.2.1 of the Massachusetts State Building Code (MSBC) for 650 Kendall Street, Cambridge, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 et. seq.; and 780 CMR 122.3.4, the Board convened a public hearing on July 22, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing pro se.

## **Discussion**

A motion was made to grant the Appellant's request for a variance from 780 CMR 904.2 and 906.2.1 of the MSBC based upon the fact that the Board has consistently granted variances in other similar cases, and also due to the fact that both the Cambridge Building and Fire Departments have no objection to the granting of the variance. The board vote on this motion was unanimous.

## Conclusion

The Appellant's request for a variance from 780 CMR 904.2 and 906.2.1 is hereby granted and so ordered<sup>2</sup> on this date: July 22, 2008.

William Middlemiss

Brian Gale

Alexander MacLead

<sup>2</sup>In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.

<sup>&</sup>lt;sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108